

COMPT 81-0258

MEMORANDUM FOR: Director, National Foreign Assessment Center
Deputy Director for Administration
Deputy Director for Operations
Deputy Director for Science and Technology
Chairman, E Career Service

FROM : Harry E. Fitzwater
Director of Personnel Policy, Planning, and Management

SUBJECT : Federal Civilian Hiring Freeze

REFERENCE : Memo to above addressees from D/PPPM, dated 9 February 1981,
same subject

1. The extent to which the Agency's use of individuals under personal services contract is subject to the Presidential hiring freeze has been a matter of continuing concern as indicated in referent memorandum. In subsequent discussions with OMB, we have been advised that the hiring of consultants, experts and independent contractors, who are not appointed and who are not charged against ceiling, may be treated as being outside of the hiring freeze. The use of detailed personnel from other agencies and departments is also exempt from the freeze.

2. Until such time as the hiring freeze is lifted or additional relief is forthcoming, it will be necessary to continue our strict observance of existing limitations which pertain to the hiring of individuals whose relationship would be that of a staff or contract employee. In addition, we must be careful to ensure that there is no change in our normal patterns of employing independent contractors.

Harry E. Fitzwater

CONCUR

[Redacted Signature]

C/Admin Group 25 Feb 81
O/Comptroller

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MEMORANDUM FOR: Director, National Foreign Assessment Center
Acting Deputy Director for Administration
Deputy Director for Operations
Deputy Director for Science and Technology
Chairman, E Career Service

FROM : Director of Personnel Policy, Planning,
and Management

SUBJECT : Federal Civilian Hiring Freeze

REFERENCE : OMB Bulletin No. 81-6, dated January 24, 1981;
Same Subject

1. Referent Bulletin directed Executive Branch departments and establishments to stop immediately all hiring, with the exception of those specific exemptions listed in paragraph 6 of the Bulletin. Unfortunately, the instructions and guidance provided therein do not address a wide variety of situations which involve the Agency's use of individuals under personal services contract.

2. We have subsequently received additional guidance which indicates that agencies cannot reemploy annuitants who recently retired unless a written commitment was made before November 5, 1980. This additional guidance provides that if a commitment was made after November 5, and the individual entered on duty prior to 26 January 1981, that new hire is allowed to stand. Commitments made after November 5, 1980 to individuals who have not entered on duty must be cancelled. The appointment of experts and consultants and the employment of temporary and part-time employees are also subject to the freeze.

3. Obviously there remain a number of questions regarding the extent to which the Agency may make commitments leading not only to the establishment of contract employee relationships but also to the establishment of one-time and longer-term independent contractor relationships as well. Until further guidance is obtained, the Agency's use of its contracting authority must of necessity be extremely circumspect.

4. Accordingly, it is imperative that effective immediately no commitments, written or oral, be made to individuals concerning their use by the Agency unless such commitments have first been cleared by the Director of Personnel Policy, Planning, and Management. Please convey this requirement to elements under your jurisdiction and advise that it is to remain in effect until further notice.

Harry E. Fitzwater

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Approved For Release 2003/11/04 : CIA-RDP84-00688R000200280005-0
PersPP&M/CPD/GLB/jls/ 5 February 1981

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... Wednesday, March 4, 1981

The Federal Diary

By Mike Causey

Thaw Due Next Week^{CPYRGH} Of U.S. Hiring Freeze^T

Some federal agencies next week will begin to lift or modify the solid hiring freeze President Reagan slapped on the bureaucracy the day he took office (Jan. 20) and later made retroactive to Nov. 5, the day after he was elected president.

Decisions will be made on an agency-by-agency basis, beginning March 10, when they will get first official word of new personnel budget ceilings Reagan will propose for them. Although some agencies have unofficial word on new, lower ceilings, the official "allowance letter" from the Office of Management and Budget will not be mailed out until next week. When agencies get the official word they can begin deciding if they are over or under new ceilings and whether they can resume hiring or must keep the freeze on until they slim down further.

TRANSMITTAL SLIP		DATE
TO: DD/PPPM/SP		
ROOM NO.	BUILDING	
REMARKS: <i>not yet per decision D/PPPM 3 March</i>		
FROM:		
ROOM NO.	BUILDING	EXTENSION

FORM NO. 241
1 FEB 55REPLACES FORM 36-8
WHICH MAY BE USED.

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Approved For Release 2003/11/04 : CIA-RDP84-00688R000200280005-0

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This is a \$ short
and several days late.
not needed now.
J